

House File 641

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AN ACT

PROVIDING FOR CHANGES RELATING TO PROGRAMS UNDER THE PURVIEW
OF THE IOWA DEPARTMENT OF PUBLIC HEALTH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 139A.8, subsection 1, Code 2003, is
amended to read as follows:

1. A parent or legal guardian shall assure that the
person's minor children residing in the state are adequately
immunized against diphtheria, pertussis, tetanus,
poliomyelitis, rubeola, ~~and~~ rubella, ~~and~~ varicella according
to recommendations provided by the department subject to the
provisions of subsections 3 and 4.

Sec. 2. Section 139A.8, subsection 2, paragraph a, Code
2003, is amended to read as follows:

a. A person shall not be enrolled in any licensed child
care center or elementary or secondary school in Iowa without
evidence of adequate immunizations against diphtheria,
pertussis, tetanus, poliomyelitis, rubeola, ~~and~~ rubella, ~~and~~
varicella.

Sec. 3. Section 139A.8, subsection 4, paragraph a, Code
2003, is amended to read as follows:

a. The applicant, or if the applicant is a minor, the
applicant's parent or legal guardian, submits to the admitting
official a statement signed by a physician, ~~advanced~~
~~registered nurse practitioner, or physician assistant~~ who is
licensed by the ~~state~~ board of medical examiners, ~~board of~~
~~nursing, or board of physician assistant examiners that, in~~
~~the physician's opinion~~, the immunizations required would be
injurious to the health and well-being of the applicant or any
member of the applicant's family.

Sec. 4. Section 152.1, subsection 5, paragraph b, Code
2003, is amended by striking the paragraph and inserting in
lieu thereof the following:

b. The performance of nursing services by an unlicensed
student enrolled in a nursing education program if performance
is part of the course of study. Individuals who have been
licensed as registered nurses or licensed practical or
vocational nurses in any state or jurisdiction of the United
States are not subject to this exemption.

Sec. 5. Section 152.1, subsection 5, paragraph c, Code
2003, is amended to read as follows:

c. The performance of services by ~~employed unlicensed~~
workers ~~employed~~ in offices, hospitals, or health care
facilities, as defined in section 135C.1, under the
supervision of a physician or a nurse licensed under this
chapter, or employed in the office of a psychologist,
podiatric physician, optometrist, chiropractor, speech
pathologist, audiologist, or physical therapist licensed to
practice in this state, and when acting while within the scope
of the employer's license.

Sec. 6. Section 272C.3, subsection 1, paragraph k, Code
2003, is amended to read as follows:

k. Establish a licensee review committee for the purpose
of evaluating and monitoring licensees who ~~self-report~~
~~physical or mental impairments to the board are impaired as a~~
~~result of alcohol or drug abuse, dependency, or addiction, or~~
~~by any mental or physical disorder or disability, and who~~
~~self-report the impairment to the committee, or who are~~
~~referred by the board to the committee.~~ The board shall adopt

rules for the establishment and administration of the
committee, including but not limited to establishment of the
criteria for eligibility for referral to the committee and the
grounds for disciplinary action for noncompliance with
committee decisions. Information in the possession of the
board or the licensee review committee, under this paragraph,
shall be subject to the confidentiality requirements of
section 272C.6. Referral of a licensee by the board to a
licensee review committee shall not relieve the board of any
duties of the board and shall not divest the board of any
authority or jurisdiction otherwise provided. A licensee who
violates section 272C.10 or the rules of the board while under

3 6 review by the licensee review committee shall be referred to
3 7 the board for appropriate action.

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3 12 CHRISTOPHER C. RANTS
3 13 Speaker of the House

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3 16 MARY E. KRAMER
3 17 President of the Senate

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3 19 I hereby certify that this bill originated in the House and
3 20 is known as House File 641, Eightieth General Assembly.

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3 23 _____
3 24 MARGARET THOMSON
3 25 Chief Clerk of the House

3 26 Approved _____, 2003

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3 29 _____
3 30 THOMAS J. VILSACK
3 31 Governor